

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

H.W. Funderburk, Jr., Administrative Law Judge

Appellate Case No. 2018-001324

Reyes Cabrera Pena, #265665 Respondent.

RECEIVED
NOV 05 2018
SC Court of Appeals

v.

South Carolina Department of Corrections Appellant.

**DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

The Appellant, the South Carolina Department of Corrections ["SCDC"], by and through its undersigned counsel, respectfully proposes the following matter to be included in the Record on Appeal in the instant in the above-captioned matter:

1. Amended Record on Appeal filed August 15, 2017 by SCDC with the South Carolina Administrative Law Court ["ALC"] with the following contents:
 - a. Respondent Reyes Carbrera Pena's Step 1 Grievance received June 3, 2007 by SCDC;
 - b. SCDC's Reply, dated July 25, 2007, to Pena's Step 1 Grievance;
 - c. Pena's Step 2 Grievance Appeal dated August 3, 2007;
 - d. SCDC's Response, dated March 28, 2016, of Pena's Step 2 Grievance Appeal;
 - g. Pena's Notice of Appeal to the ALC dated May 2, 2016;
 - h. Pena's "Brief in Support of Appeal" to the ALC dated July 5, 2016;
 - i. SCDC's "Motion to Hold in Abeyance" filed August 29, 2016 with the ALC;

- j. "Order of Abeyance" issued August 30, 2016 by the ALC;
- k. "Order Lifting Abeyance" issued June 15, 2017 by the ALC; and
- j. Pena's "Brief in Support of Appeal" to the ALC dated June 26, 2017
2. SCDC's Brief to the ALC filed August 15, 2017.
3. "Final Order" issued June 20, 2018 by the ALC.
4. SCDC's "Notice of Appeal" to the South Carolina Court of Appeals filed July 18, 2018.

SCDC's undersigned counsel respectfully certifies that this designation contains no matter which is irrelevant to this appeal.

RESPECTFULLY SUBMITTED:



November 5, 2018

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Counsel for Appellant

Pro se Respondent:

Reyes Cabrera Pena, #265665
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430 Oaklawn Road
Pelzer, South Carolina 29669

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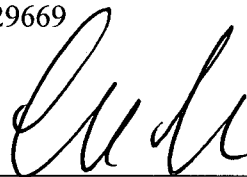
v.

South Carolina Department of Corrections Appellant.

PROOF OF SERVICE

I certify that I have served the **APPELLANT'S DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** on the above-named *pro se* Respondent by depositing a copy of it in the United States Mail, First Class Postage Pre-Paid, to the Respondent's Counsel addressed as follows:

Reyes Cabrera Pena, #265665
Perry Correctional Institution Q-1-A-207
430 Oaklawn Road
Pelzer, South Carolina 29669



November 5, 2018

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